

SOUTH BROOKLYN LEGAL SERVICES

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May 7, 2008

MEMO ENDORSED

Hon. Colleen McMahon
District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Mary Kilbride v. Merrill Lynch & Co, Inc. LTD
Plan, et al, 07 Civ. 7092 (CM)

Dear Judge McMahon:

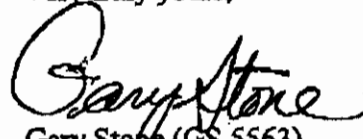
I am writing to request, on behalf of counsel for Defendants Merrill Lynch and the Merrill Lynch Service Center, a modification of the schedule for making motions in the above-captioned case. One request, on consent, for a 30-day extension was previously granted to permit the parties to complete discovery and resolve all discovery disputes. As reported last Wednesday, in a telephone conference conducted by Magistrate Judge Ellis, counsel were able to report that all discovery disputes have now been resolved. Immediately after the conference, counsel conferred and tentatively agreed to the dismissal of one of the parties, MetLife, inasmuch as MetLife apparently played no part in the actions that are the basis of this suit. Counsel on both sides also agreed that it would be desirable to extend the filing of motion papers. ✓

Late yesterday afternoon, by e-mail, counsel for Defendants Merrill Lynch and the Merrill Lynch Service Center sent me an e-mail proposing the following deadlines, to which Plaintiff assents:

1. Principal papers in support of any dispositive motion(s) to be submitted on or before July 1, 2008;
2. Opposition papers to be submitted on or before August 1, 2008;
3. Reply papers to be submitted on or before August 22, 2008.

Thank you for your attention to this application.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gary Stone". The signature is fluid and cursive, with the first name "Gary" and last name "Stone" clearly distinguishable.

Gary Stone (GS 5563)
Attorney for the Plaintiff

cc: Christopher B. Brown, Esq.
Kevin G. Horbatiuk, Esq.
Allan M. Marcus, Esq.

cwd: GS